

Borders, Territory and Justice

Course Description

Today, the Earth is divided into different countries, each claiming exclusive rights within their lands to control borders, exploit resources, and decide the law. Political science and political theory often take the existence of borders as a given; a background condition that makes everything else possible. But in this class, we will take up the difficult theoretical problems that arise as a result of living in a bordered world. We will survey a series of debates in political theory, law, and philosophy, over the legitimacy of border regimes and the foundations (if any exist) of the right to exclude others from a territory. Over the course of the semester, we will study the relationship between liberal democracy and the drawing of boundaries (both physical and legal), cases for and against open borders, the ethics of secession and self-determination, questions of birthright citizenship, and debates over 'territorial rights.' By the end of the course students will be equipped with a toolbox of theoretical arguments that they can apply to large philosophical conundrums as well as real-world policy situations, which we will discuss frequently in the class.

Prerequisites & Assignments:

This seminar is intended for advanced undergraduate students with at least a rudimentary understanding of political theory. An introductory course to political theory should be sufficient. They should be experienced in criticizing philosophical concepts as well as developing original arguments.

Evaluation will be based on student attendance and active participation in discussion, as well as three written assignments.

Review Essays:

Students will complete two review essays (approx. 1000-1500 words) each. Each essay will survey a theoretical debate covered in one week of our class and will briefly assess which arguments are convincing, which fall short, and why. The paper need not offer original arguments, but should demonstrate a critical understanding of an important debate.

Research Paper:

Students will complete one research paper on a topic of their choosing related to the course's themes. The paper should show an engagement with relevant literature and put forth an original argument. The paper should be approximately 7500 words. Students will submit a proposal on the topic halfway through the semester, with an attached bibliography and tentative argument. The proposal is not graded, but is an opportunity to develop a fully-fledged argument over the course of several months.

Class Schedule (based on a 13-week semester)

Week 1: Are States Worth Defending?

- Michael Walzer, "The Moral Standing of States: A Response to Four Critics." *Philosophy & Public Affairs* (1980).
- Anna Stilz, "Why Do States Matter Morally?" in Smith (ed.), *Varieties of Sovereignty and Citizenship* (2013).
- Olúfẹmi Táíwò, "States Are Not Basic Structures: Against State-Centric Political Theory." *Philosophical Papers* (2019).

Week 2: Boundaries, Democracy, and inclusion

- Robert Goodin, "Enfranchising All Affected Interests, and Its Alternatives." *Philosophy & Public Affairs* (2007).
- Arash Abizadeh, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders." *Political Theory* (2008).
- Seyla Benhabib, *The Rights of Others*. Introduction (2004).
- Sarah Song, "The Boundary Problem in Democratic Theory: Why the Demos should be bounded by the State." *International Theory* (2012).

Week 3: Territorial Rights (Foundations)

- David Miller, “Territorial Rights: Concepts and Justifications.” *Political Studies* (2012).
- A.J. Simmons, “On the Territorial Rights of States.” *Philosophical Issues* (2001).

Week 4: Territorial Rights (Debates)

- Anna Stilz, *Territorial Sovereignty*, Chapters 1 – 2 (2019).
- Margaret Moore, *A Political Theory of Territory*, Chapters 1, 3 (2015).

Week 5: Self-Determination and Cosmopolitanism

- Avishai Margalit and Joseph Raz, “National Self-Determination.” *The Journal of Philosophy* (1990).
- John Exdell, “Immigration, Nationalism, and Human Rights” (2009).

Week 6: The Case for Open Borders

- Joseph Carens, *Ethics of Immigration*. Chapters 11 – 12 (2013).

Week 7: The Case Against Open Borders

- Stephen Macedo, “When and Why Should Liberal Democracies Restrict Immigration?,” in Smith (ed.) *Citizenship, Borders, and Human Needs* (2011).
- Michael Walzer, “Membership,” *Spheres of Justice*, 31-63 (1983).

Week 8: Debating Open Borders Continued

- Christopher Wellman, “Immigration and Freedom of Association.” *Ethics* (2008).
- Sarah Fine, “The Ethics of Immigration: Self-Determination and the Right to Exclude.” *Philosophy Compass* (2013).
- Shelly Wilcox, “Do Duties to Outsiders Entail Open Borders? A Reply to Wellman,” *Philosophical Studies*

Week 9: Secession

- Allen Buchanan, “Democracy and Secession.” In Moore (ed.) *National Self-Determination and Secession*, (1998).
- David Gauthier, “Breaking Up: An Essay on Secession.” *Canadian Journal of Philosophy* (1994).

Week 10: What is Citizenship?

- Linda Bosniak, “Defining Citizenship.” in *The Citizen and the Alien* (2006).
- Will Kymlicka and Wayne Norman, “Return of the Citizen: A Survey of Recent Work on Citizenship Theory.” *Ethics* (1994).

Week 11: Citizenship continued – *jus soli* & *jus sanguinis*

- Peter Schuck & Rogers Smith, *Citizenship without Consent*. Chapters 1, 4, 5 (1985).
- Ayelet Shachar, *Birthright Lottery: Citizenship and Global Inequality*. Introduction, (2009).
- Ayelet Shachar and R. Hirschl, “Citizenship as Inherited Property.” *Political Theory* (2007).

Week 12: Refugees (Foundations)

- Hannah Arendt, “The Decline of the Nation-State and the End of the Rights of Man.” *Origins of Totalitarianism*. (1966).
- Seyla Benhabib, *The Rights of Others*. Chapter 2 (2004).

Week 13: Refugees and the Ethics of Asylum

- Andrew Shacknove, “Who is a refugee?” *Ethics* (1985).
- Matthew Gibney, “Liberal Democratic States and Responsibilities to Refugees.” *The American Political Science Review*, (1999).
- Joseph Carens, *The Ethics of Immigration*, Chapter 10.